



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,940	01/09/2002	Allon Adir	ADIR=1

CONFIRMATION NO. 5128

001444  
BROWDY AND NEIMARK, P.L.L.C.  
624 NINTH STREET, NW  
SUITE 300  
WASHINGTON, DC 20001-5303

FORMALITIES LETTER



\*0C000000007451899\*

Date Mailed: 02/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$846.
  - o \$594 for 33 total claims over 20.
  - o \$252 for 3 independent claims over 3.
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 1716.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/15/2002 RREBRHT 0000110 10040940  
740.00 00 00  
130.00 00 00  
594.00 00 00  
252.00 00 00  
01 FC:101  
02 FC:105  
03 FC:103  
04 FC:102

MAY 13 2002  
PATENT & TRADEMARK OFFICE

Atty Docket: A-1

MP #

In re Application ☐ IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
 Allion ADIR et al. ☐ Application Division  
 Serial No.: 10/040,940 ☐ ATTN: BOX MISSING PARTS  
 Filing Date: January 9, 2002 ☐ Washington, D.C.  
 For: ADAPTIVE TEST PROGRAM GENERATION ☐ Confirmation No.  
 May 13, 2002

**LATE SUBMISSION OF FILING FEE AND/OR DECLARATION**  
 FILED UNDER 37 CFR 1.53(b)

HON. COMMISSIONER OF PATENTS  
 Washington, D.C. 20231  
 Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated February 11, 2002, 2001.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date, serial number.

[ ] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.

[ ] Applicant claims small entity status. See 37 CFR 1.27.

[ ] A Communication.

[ ] Preliminary Amendment.

[ ] Amended Drawing Sheets 8 Sheets, figs. 1-8.

[ ] A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_, is also attached. Priority is claimed.

[ ] An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references is also attached.

The following fee is calculated below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR RATE	FEE
BASIC FEE				\$370.00	OR	\$740.00
TOTAL CLAIMS	53-20	33	X 9 =	\$00	X 18 =	\$594.00
INDEP. CLAIMS	6-3	3	X 42 =	\$00	X 84 =	\$252.00
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED			+ 135 =	\$	+ 280 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$00	TOTAL	\$1586.00

[ ] Surcharge for late filing of English translation \$ 130.00

[XX] Late filing of Declaration surcharge in the amount of:

Small Entity [ ] \$65.00 Other than Small Entity [XX] \$130.00

[XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 55.00

[ ] Second - \$ 200.00

[ ] Third - \$ 460.00

[ ] Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[XX] First - \$ 110.00

[ ] Second - \$ 400.00

[ ] Third - \$ 920.00

[ ] Fourth - \$1,440.00

Month After Time Period Set

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ is enclosed to cover the above fees.

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$1826.00 is enclosed to cover the fees.

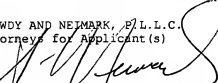
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

05/15/2002 RHEBRAHT 00000110 10040940

05 FC:115

110.00 DP

BROWDY AND NEIMARK, P.L.L.C.  
 Attorneys for Applicant(s)

By:   
 Sheridan Neimark  
 Registration No. 20,520

SN:1b